

Notice of Allowability

Application No.

10/658,372

Examiner

John Ruggles

Applicant(s)

SHOKI, TSUTOMU

Art Unit

1756

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the 8/6/07 Substitute AF Amendment.
2. ☒ The allowed claim(s) is/are 15-21.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

The previous rejections and objections are withdrawn in view of (A) the current 8/6/07 substitute after final amendment (following the notice of appeal) with accompanying remarks (now entered) and (B) the Examiner's amendment set forth below.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Alan Kasper on 8/13/07.

IN THE SPECIFICATION:

In the currently amended *abstract* at line 8 (see page 5 of the current 8/6/07 substitute after final amendment), correct "reflection films" (plural) to --reflection ~~films~~ film-- (singular), which better corresponds with each earlier antecedent basis reference to a reflection film.

At page 14, in the 5th paragraph, lines 1-2, change the language "the pattern on the absorber layer" to --[[the]] a pattern [[on]] in the absorber layer--, which is consistent with similar changes previously made at various locations in the specification.

At page 15, [Example 1], in the 1st paragraph, line 3, change the expression "mask blank 101" to --mask ~~blank~~ 101--, which better corresponds with the language in line 5 of this same paragraph.

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At page 16, in the 2nd paragraph, line 4, change “multilayer reflection film 13 [12] was formed” to --multilayer reflection film ~~13~~ [12] 12 was formed-- that corrects ambiguity with respect to Figure 1A in which item 12 refers to the multilayer reflection film (this is also confirmed by line 1 of this same paragraph).

At page 17, in the 2nd full paragraph, lines 2-3, change “lapse of every predetermined number of days” to --lapse of ~~every~~ a predetermined number of days--.

At page 18, in the 4th full paragraph, line 1, change “resist pattern as a mask” to --resist pattern as [[a]] an etching mask--, to clarify and differentiate that this resist mask is *not* a reflection mask.

At page 19, in the 2nd full paragraph, line 11, correct “conformed” to --~~conformed~~ confirmed--.

At page 24, in the 2nd paragraph, line 1, change the language “pattern on the absorber layer” to --pattern [[on]] in the absorber layer--, which is consistent with similar changes previously made at various locations in the specification.

Allowable Subject Matter

Claims 15-21 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Ruggles whose telephone number is 571-272-1390. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

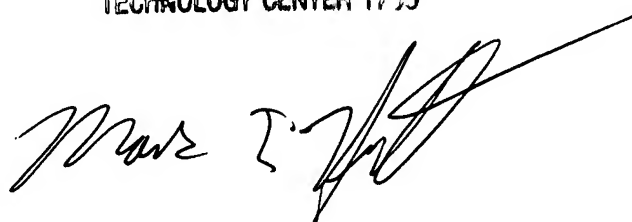
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Huff can be reached on 571-272-1385. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MARK E. HUFF
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700

jsr

A handwritten signature in black ink, appearing to read "Mark E. Huff", is written over the printed name and title.